

**Maine Revised Statutes**  
**Title 33: PROPERTY**  
**Chapter 10: UNIT OWNERSHIP**

**§561. DEFINITIONS**

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings. [1977, c. 696, §258 (RPR).]

**1. Association of unit owners.** "Association of unit owners" means all of the unit owners acting as a group in accordance with the bylaws and declaration.

[ 1965, c. 357, (NEW) .]

**2. Building.** "Building" means a building or buildings containing one or more units and comprising a part of the property, and designated with a name.

[ 1971, c. 73, §1 (AMD) .]

**3. Common areas and facilities.** "Common areas and facilities", unless otherwise provided in the declaration, means and includes:

A. The land on which the building is located; [1965, c. 357, (NEW) .]

B. The foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, and entrances and exits of the building; [1965, c. 357, (NEW) .]

C. The basements, yards, gardens, parking areas and storage spaces; [1965, c. 357, (NEW) .]

D. The premises for the lodging of janitors or persons in charge of the property; [1965, c. 357, (NEW) .]

E. Installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning and incinerating; [1965, c. 357, (NEW) .]

F. The elevators, tanks, pumps, motors, fans, compressors, ducts and, in general, all apparatus and installations existing for common use; [1965, c. 357, (NEW) .]

G. Such community and commercial facilities as may be provided for in the declaration; and [1965, c. 357, (NEW) .]

H. All other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use. [1965, c. 357, (NEW) .]

[ 1965, c. 357, (NEW) .]

**4. Common expenses.** "Common expenses" means and includes:

A. Expenses of administration, maintenance, repair or replacement of the common areas and facilities; [1965, c. 357, (NEW) .]

B. Expenses declared common expenses by provisions of this chapter, or by the declaration or the bylaws; [1965, c. 357, (NEW) .]

C. Expenses agreed upon as common expenses by the association of unit owners and lawfully assessed against the unit owners in accordance with the bylaws. [1965, c. 357, (NEW) .]

[ 1965, c. 357, (NEW) .]

**5. Common profits.** "Common profits" means the balance of all income, rents, profits and revenues from the common areas and facilities remaining after the deduction of the common expenses.

[ 1965, c. 357, (NEW) .]

**6. Declaration.** "Declaration" means the instrument by which the property is recorded, in the manner provided for the recording of deeds.

[ 1965, c. 357, (NEW) .]

**7. Limited common areas and facilities.** "Limited common areas and facilities" means and includes those common areas and facilities designated in the declaration as reserved for use of a certain unit or certain units to the exclusion of the other units.

[ 1965, c. 357, (NEW) .]

**8. Majority or majority of unit owners.** "Majority or majority of unit owners" means the owners of more than 50% in the aggregate in interest of the undivided ownership of the common areas and facilities as specified in the declaration. Any specified percentage of unit owners means such percentage in the aggregate of such undivided ownership, and for all voting purposes, as provided, each unit owner shall have a vote equal to such percentage.

[ 1965, c. 357, (NEW) .]

**9. Person.** "Person" means individual, corporation, partnership, association, trustee or other legal entity.

[ 1965, c. 357, (NEW) .]

**10. Property.** "Property" means and includes the land, the building, all improvements and structures thereon, all owned in fee simple absolute, or leased as provided in section 579 and all easements, rights and appurtenances belonging thereto, which have been or are intended to be submitted to the provisions of this chapter.

[ 1965, c. 357, (NEW) .]

**11. Unit.** "Unit" means a part of the property including one or more rooms or enclosed spaces located on one or more floors or a part or parts thereof in a building, intended for any type of independent use, and with a direct exit to a public street or highway or to a common area leading to such street or highway.

[ 1965, c. 357, (NEW) .]

**12. Unit number.** "Unit number" means the number, letter, or combination thereof, designating the unit in the declaration.

[ 1965, c. 357, (NEW) .]

**13. Unit owner.** "Unit owner" means the person or persons owning a unit in fee simple absolute, or leasing a unit as provided, and an undivided interest in the fee simple, or leased estate, of the common areas and facilities in the percentage specified and established in the declaration.

[ 1965, c. 357, (NEW) .]

#### SECTION HISTORY

1965, c. 357, (NEW). 1971, c. 73, §1 (AMD). 1977, c. 696, §258 (AMD).

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